

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

COOPER TIRE & RUBBER COMPANY,

PLAINTIFF,

VS.

CIVIL ACTION NO. 3:02CV210-P-A

JOHN BOOTH FARESE, ET AL.,

DEFENDANTS.

FINAL JUDGMENT

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND ADJUDGED** that:

(1) Bruce Kaster and Bruce Kaster, P.A.'s second motion for summary judgment [408-1] is hereby **GRANTED**; and

(2) John Booth Farese and Farese, Farese & Farese, P.A.'s motion for to join in Kaster's second motion for summary judgment [411-1] is **GRANTED**; therefore,

(3) All of the plaintiff's claims against all of the defendants are hereby **DISMISSED WITH PREJUDICE**;

(4) This case is **CLOSED**; and

(5) The parties are directed not to file any motions for reconsideration, motions to alter judgment, or the like based upon the court's conclusion regarding the effect of Miss. Code Ann. § 97-9-9 on the plaintiff's causes of action since the parties were afforded ample time to complete discovery and brief the issues and the plaintiff chose not to discuss Miss. Code Ann. § 97-9-9, nor did they seek additional time to do so.

SO ORDERED this the 9th day of January, A.D., 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE